

REMARKS

Claims 17-20 are pending in the application. This response amends claims 17-20. No new matter has been added. In view of the foregoing amendments and following remarks, Applicants respectfully request allowance of the Application.

REJECTION UNDER 35 U.S.C. § 112

Claims 17-20 stand rejected under 35 U.S.C. § 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 17-20 have been amended. Accordingly, Applicants respectfully request withdrawal of the instant rejection and allowance of the application

With regard to rejection 2(a) of the Office Action, claim 17 has been amended to replace “track following operation” with “track servo operation” as suggested in the Office Action.

With regard to rejection 2(b) of the Office Action, claim 17 has been amended to delete “in comparison of a time” and add “as compared with a track servo condition in a time when the test information is recorded.” In addition, other amendments have also been made to fully define the operation recited in the claim. Support for the amendments may be found, for example, in paragraph [0033].

With regard to rejection 2(c) of the Office Action, claim 17 has been amended to change the phrase “and in-phase mark arrangement is recorded on adjacent tracks” to “as recorded marks formed side by side among adjacent tracks.” Support for the amendment may be found, for example, in paragraph [0034].

With regard to rejection 2(d) of the Office Action, claim 17 has been amended to change “conversion” means to “encoding” means. The Office Action suggests “decoding means,” however, it is more appropriate to use “encoding means” in the claim. Support for the amendment may be found, for example, in paragraphs [0034], [0037] and [0042].

Claims 18-20 have been amended similarly.

CONCLUSION

Applicant respectfully submits that the present application is now in condition for allowance. The Examiner is invited to contact Applicant's representative to discuss any issue that would expedite allowance of this application.

The Commissioner is authorized to charge all required fees, fees under § 1.17, or all required extension of time fees, or to credit any overpayment to Deposit Account No. 11-0600 (Kenyon & Kenyon LLP).

Respectfully submitted,

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